AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the Application:

1.   (Currently amended)   A method ~~for developing~~ to fulfill an order for a product, comprising:

~~establishing an~~ receiving at a supplier said order from a customer for ~~a~~ said product, wherein said order includes a first component associated with said product and said order includes a non-binding attribute describing a class of items that are substitutes for said first component and that are acceptable to said customer, and wherein said non-binding attribute is associated with said first component;

determining by said supplier a second component that satisfies said non-binding attribute for said order; and

~~exchanging said first component with~~ providing by said supplier, to said customer, said product including said second component and not including said first component.

2.   (Original) The method of claim 1, wherein said order comprises a legal contract.

3.   (Currently amended) The method of claim 1, wherein said ~~establishing an order for a product~~ providing by said supplier, to said customer, said product including said second component and not including said first component includes at least one of the following:

providing a notification to ~~a~~ said customer from said supplier regarding said non-binding attribute;

receiving an order for said product at said supplier;

allowing by said supplier ~~a~~ said customer to select a plurality of components for said product, wherein said first component is one of said plurality of components;

~~allowing a customer to select said product and said non-binding attribute;~~

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providing a notification to a said customer regarding said first component and said second component by said supplier and receiving consent from said customer to said non-binding attribute at said supplier;

providing by said supplier at least two options regarding at least one component for said product and allowing a said customer to select from among said two options; and

providing a request to a said customer from the supplier regarding a said non-binding attribute associated with said first component.

4.   (Currently amended) The method of claim 1, further comprising:

determining a need by said supplier for said first component associated with a projected supply of said first component outside said order;.

5.   (Currently amended) The method of claim 4, wherein said determining a said need by said supplier for said first component associated with said projected supply of said first component outside said order includes at least one of the following:

receiving a notification at said supplier regarding a new order that requires said first component;

determining that said order cannot be completely fulfilled due to a shortage of said first component;

receiving at said supplier a new order that requires an amount of said first component such that both said order and said new order cannot be filled if both said order and said new order use said first component;

determining at said supplier that said order cannot be partially or completely filled due to defects detected in said first component;

determining at said supplier that a change in price for said first component makes it disadvantageous to fill said order with said first component;

determining at said supplier that a change in price for a second component makes it disadvantageous to fill said order with said first component;

determining at said supplier that a change in said projected supply for said first component makes it disadvantageous to fill said order with said first component;

determining at said supplier that a change in said projected supply for a second component makes it disadvantageous to fill said order with said first component;

determining at said supplier that a projected change in price for said first component makes it disadvantageous to fill said order with said first component;

determining at said supplier that a projected change in price for a second component makes it disadvantageous to fill said order with said first component;

establishing at said supplier a new order that requires said first component; and

receiving at said supplier an indication of a potential new order that requires said first component.

6.   (Currently amended) The method of claim 1, wherein said determining by said supplier a said second component that satisfies said non-binding attribute for said order includes at least one of the following:

identifying by said supplier said second a component that can replace said first component in said product and satisfy said non-binding attribute;

selecting by said supplier said second component from a plurality of components identified in said order as replacements for said first component;

receiving at said customer a notification of a selection of said second component;

providing by said supplier a notification of availability of said second component;

receiving at said customer a request to exchange said first component with said second component;

receiving at said supplier consent to exchange said first component with said second component;

providing by said supplier a notification to a said customer of at least one component that satisfies said non-binding attribute;

confirming by said supplier availability of said second component; and

confirming by said supplier with said customer an ability of said second component to satisfy said non-binding attribute.

7.   (Currently amended) The method of claim 1, wherein said exchanging said first component with said second component, providing by said supplier, to said customer, said

product including said second component and not including said first component, includes at least one of the following:

using said second component but not said first component when building said product by said supplier;

fulfilling said order by said supplier using said second component but not said first component; and

using said second component but not said first component by said supplier when providing said product; and

including said second component in said product.

8.   (Original) The method of claim 1, wherein said non-binding attribute relates to at least one of the following:

a quality level of said first component;

a performance level of said first component;

a feature set of said first component;

a delivery date for said first component;

a color of said first component;

a size of said first component;

a storage capacity of said first component;

a bandwidth of said first component;

a weight of said first component;

a technical capability of said first component;

an expiration date;

a purity level;

a service level;

a warranty level;

a price; and

a dimension associated with said first component.

9.   (Currently amended) The method of claim 1, further comprising:

providing a notification to said customer from said supplier regarding ~~said exchanging~~ an exchange by said supplier of said first component with said second component.

10.   (Currently amended) The method of claim 1, further comprising:

fulfilling said order of said customer by said supplier using said second component.

11.   (Currently amended) The method of claim 1, further comprising:

adjusting by said supplier a price associated with said order as a result of ~~said exchanging said first component with said second component~~ providing by said supplier, to said customer, said product including said second component and not including said first component.

12.   (Currently amended) The method of claim 11, further comprising:

providing by said supplier a notification regarding ~~said~~ an adjusted price to said customer.

13.   (Currently amended) The method of claim 1, further comprising:

~~establishing~~ accepting by the supplier a second order using said first component.

14.   (Currently amended) The method of claim 13, wherein said order is ~~established~~ accepted from a first customer by said supplier and said second order is ~~established with~~ accepted from a second customer by said supplier.

15.   (Currently amended) The method of claim 1, wherein said order identifies at least one characteristic associated with said product that is also associated with said non-binding attribute, wherein said is characteristic selected by said customer.

16.   (Currently amended) The method of claim 15, further comprising:

receiving at said supplier from said customer identification of said at least one characteristic that is at least a subset of said non-binding attribute regarding said order.

17.   (Currently amended) The method of claim 15, further comprising:

determining by said supplier said second component based, at least in part, on said characteristic.

18.   (Currently amended) The method of claim 15, further comprising:

determining by said customer said non-binding attribute based, at least in part, on said characteristic.

19.   (Currently amended) The method of claim 15, wherein said determining a second component that satisfies said non-binding attribute for said order by said supplier includes selecting said second component by said supplier based, at last in part, on said characteristic.

20.   (Original) The method of claim 15, wherein said at least one characteristic includes at least one of the following:

an acceptable lower bound of said at least one characteristic;

an acceptable upper bound of said at least one characteristic;

a range of acceptable characteristics;

a range of unacceptable characteristics;

a rule regarding exchange of said first component with said second component;

a condition that must be met if said first component is exchanged with said second component;

a set of at least one acceptable characteristic for said product;

a set of at least one acceptable characteristic for said first component;

a set of at least one acceptable characteristic for said second component;

a set of at least one unacceptable characteristic for said product;

a set of at least one unacceptable characteristic for said first component; and

a set of at least one unacceptable characteristic for said second component.

21.   (Currently amended) The method of claim 15, further comprising:

identifying said at least one characteristic by said customer.

22.   (Currently amended) The method of claim 15, wherein said at least one characteristic is based on at least one of the following:

volume of said product included in said order;

quantity of said product included in said order;

quality of said product;

quality of said first component;

quality of said second component;

demand for said product by said customer;

demand for said first component by said customer ;

demand for said second component by said customer;

~~supply for said product;~~

~~supply for said first component;~~

~~supply for said second component;~~

~~availability of said first component;~~

~~availability of said second component;~~

~~an amount in inventory of said product;~~

~~an amount in inventory of said first component;~~

~~an amount in inventory of said second component;~~

an expected profit margin for said product by said customer wherein said product includes said first component;

an expected profit margin for said product by said customer wherein said product includes said second component;

a discount available for said product for said customer;

a price of said product for said supplier;

a price of said first component for said customer;

a price of said second component for said customer

projected demand for said product by said customer;

projected demand for said first component for said customer;

projected demand for said second component for said customer;

projected supply for said product by said customer;

projected supply for said first component by said customer;

projected supply for said second component by said customer;

projected availability of said first component by said customer;

projected availability of said second component by said customer;

projected amount in inventory of said product of said customer;

projected amount in inventory of said supplier of said first component by said customer;

projected amount in inventory of said supplier of said second component by said customer ;

a projected price of said product for said customer;

a projected price of said first component for said customer ; and

a projected price of said second component for said customer .

23.   (Currently amended) The method of claim 15, wherein said characteristic is ~~identified~~ selected by at least one of the following:

~~a party~~ said customer when placing said order;

~~a supplier of said product;~~

~~a supplier of said first component;~~

~~a supplier of said second component;~~

an expert system of said customer;

a rule-based system of said customer;

a supply chain management decision support system of said customer;

a supplier relationship management decision support system of said customer ;

a production control decision support system of said customer ;

a forecasting system of said customer ;

an optimization system of said customer;

an order model; of said customer; and

a customer model of said customer.

24.   (Currently amended) The method of claim 1, wherein said order by said customer specifies different prices for different configurations of said product as a function of whether either said first component or said second component is included in said product provided to said customer.

25.   (Currently amended) The method of claim 1, further comprising:

determining by said customer said non-binding attribute.

26.   (Cancelled).

27.   (Withdrawn) A method for fulfilling an order for a product, comprising:

establishing an order, wherein said order identifies an initial configuration for a product and at least one non-binding attribute associated with said initial configuration;

after said order is established, determining an alternate configuration for said product in accordance with said at least one non-binding attribute; and

fulfilling said order in accordance with said alternate configuration.

28.   (Withdrawn) The method of claim 27, wherein said establishing an order includes at least one of the following:

providing a notification to a customer regarding said non-binding attribute;

receiving an order for said product from a customer;

receiving a request from a customer for said product in said initial configuration;

allowing a customer to select a plurality of components for said product;

allowing a customer to select said product and said non-binding attribute;

allowing a customer to select said product and said initial configuration;

providing a notification to a customer regarding said initial configuration and receiving consent from said customer to said non-binding attribute;

providing at least two options regarding said initial configuration for said product and allowing a customer to select from among said at least two options;

providing at least two options regarding at least one component for said product and allowing a customer to select from among said at least two options;

providing at least two options regarding said non-binding attribute and allowing a customer to select from among said at least two options; and

providing a request to a customer regarding said non-binding attribute.

29.   (Withdrawn) The method of claim 27, wherein said determining an alternate configuration for said product in accordance with said at least one non-binding attribute includes at least one of the following:

selecting an alternate configuration permitted in said order;

determining a component that can replace another component in the product and satisfy the non-binding attribute;

determining a component that can replace another component in said product and satisfy said non-binding attribute;

receiving a notification of a selection of an alternative component for said product;

receiving consent to exchange said initial configuration with said alternate configuration;

providing a notification of availability of said alternate configuration;

receiving a request to exchange said initial configuration with said alternate configuration;

providing a notification to a customer of at least one component that satisfies said non-binding attribute and is usable in said alternate configuration;

providing a notification to a customer of at least one component that is unavailable for use in said initial configuration;

providing a notification to a customer of at least one component that is available for use in said alternate configuration; and

confirming ability of a component to satisfy said non-binding attribute.

30.   (Withdrawn) The method of claim 27, wherein said fulfilling said order in accordance with said alternate configuration includes at least one of the following:

providing a notification that said order is provided in accordance with said alternate configuration;

providing a notification that said product is provided in accordance with said alternate configuration;

building said product in accordance with said alternate configuration but not said initial configuration;

providing said product in accordance with said alternate configuration but not said initial configuration;

providing said order in accordance with said alternate configuration but not said initial configuration; and

using a component with said product that is included in said alternate configuration but not said initial configuration.

31.   (Withdrawn) The method of claim 27, wherein said order comprises a legal contract

32.   (Withdrawn) The method of claim 27, further comprising:
determining said non-binding attribute.

33.   (Withdrawn) The method of claim 27, further comprising:
adjusting a price associated with said order as a result of said exchanging said initial configuration with said alternate configuration.

34.   (Withdrawn) The method of claim 27, wherein said order specifies different prices for different configurations of said product.

35.   (Withdrawn) A method for completing an order for a product, comprising:
establishing an order involving a first component, wherein said order includes a non-binding attribute associated with said first component;
determining a shortage of an amount of said first component needed to for said order;
determining a second component that satisfies said non-binding attribute for said order; and
exchanging said first component with said second component for said order.

36.   (Withdrawn) The method of claim 35, wherein said establishing an order involving a first component includes at least one of the following:
providing a notification to a customer regarding said non-binding attribute;
receiving an order for a product that includes said first component;
allowing a customer to select a plurality of components for said product, wherein said first component is one of said plurality of components;

allowing a customer to select said non-binding attribute;

providing a notification to a customer regarding said first component and said second component and receiving consent from said customer to said non-binding attribute;

providing a notification to a customer regarding a component and receiving consent from the customer to use said component in said order;

providing a notification to a customer regarding a non-binding attribute and receiving consent from said customer to use the non-binding attribute in the order;

providing at least two options regarding a component and allowing a customer to select from among the two options; and

providing a request to a customer regarding a non-binding attribute associated with said first component.

37.   (Withdrawn) The method of claim 35, wherein said determining a shortage of an amount of said first component needed for said order includes at least one of the following:

receiving a second order involving said first component, fulfillment of which prevents fulfillment of said order with said first component;

determining availability of an amount of said first component needed to fulfill said order;

determining that said order cannot be partially or completely filled due to defects detected in said first component;

determining that a change in price for said first component makes it disadvantageous to fill said order with said first component;

determining that a change in price for a second component makes it disadvantageous to fill said order with said first component;

determining that a change in projected supply for said first component makes it disadvantageous to fill said order with said first component;

determining that a change in projected supply for a second component makes it disadvantageous to fill said order with said first component;

determining that a projected change in price for said first component makes it disadvantageous to fill said order with said first component;

determining that a projected change in price for a second component makes it disadvantageous to fill said order with said first component;

determining that an amount of said first component needed for said order exceeds an amount of said first component that is available for said order; and

determining that an amount of said first component needed for said order exceeds an amount of said first component in inventory.

38.   (Withdrawn) The method of claim 35, wherein said order comprises a legal contract.

39.   (Withdrawn) The method of claim 35, further comprising:
determining said non-binding attribute.

40.   (Withdrawn) The method of claim 35, further comprising:
adjusting a price associated with said order as a result of said exchanging said first component with said second component.

41.   (Withdrawn) The method of claim 35, wherein said order specifies different prices for different configurations of a product associated with said order.

42.   (Currently amended) A system for facilitating to fulfill an order for at least one product, comprising:
a memory;
a communication port; and
a processor connected to said memory and said communication port, said processor being operative to:
establish an receive at a supplier said order from a customer for a said product, wherein said order includes a first component associated with said product and said order includes a non-binding attribute to describe a class of items that are substitutes for said first component and that are acceptable to said customer, and wherein said non-binding attribute is associated with said first component;
determine by said supplier a second component that satisfies said non-binding attribute for said order; and

~~exchange said first component with~~ provide, by said supplier, said product including said second component and not including said first component.

43.   (Withdrawn) A computer program product in a computer readable medium for facilitating an order for at least one product, comprising:

first instructions for creating an order for a product, wherein said order includes a first component associated with said product and said order includes a non-binding attribute associated with said first component;

second instructions for identifying a second component that satisfies said non-binding attribute for said order; and

third instructions for allowing use of said first component with said second component in said order.